IN THE HIGH COURT OF BOMBAY AT GOA
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WRIT PETITION NO. 211 OF 2004

Shri Jose Fernandes,
r/o House No.459,
Aivao, Caranzalem,
Goa. ...Petitioner.

Versus

1. The Chief Secretary,
Govt. of Goa, having

2. The Director of Survey
& Land Records, Panaji,
Goa,

3. Shri Peter Fernandes,
H. No.15/58, Aivao,
Caranzalem, Goa, and

4. M/s. Agarwal Minerals
(Goa) Pvt. Ltd., Anand
Bhavan, Station Road,
Margao, Goa. ... Respondents.

Shri N. Costa Frias, advocate for the petitioner.

Shri A.N.S. Nadkarni, Advocate General with Shri H. D. Naik, Additional Government Advocate for respondent nos. 1 & 2.

CORAM : P. V. HARDAS &
D. G. KARNIK, JJ.

DATE : 5th May, 2004.

ORAL JUDGMENT (Per Hardas, J.)

Heard Shri Costa Frias, learned counsel for the petitioner and Shri Nadkarni, learned Advocate General for respondent nos.1 and 2. This petition has been filed seeking the relief for issuance of a writ of mandamus directing the respondent no.1 to forthwith fill up the post of Superintendent of Survey and Land Records, Panaji or, in the

alternative, for issuance of a writ of mandamus directing the second respondent to take up the appeal filed by the petitioner for hearing and decide the same expeditiously in accordance with law.

2. In view of the limited relief which is claimed, Rule is issued, made returnable forthwith with the consent of the learned counsel for the parties. The learned Advocate General states that the second respondent would take up the appeal filed by the petitioner for hearing and shall decide the appeal within a period of six months from today. In view of this statement, according to us, it is not necessary to consider the relief in terms of prayer clause (a).

3. Accordingly, Rule made absolute in terms of prayer clause (b) on the above statement of the learned Advocate General, with no order as to costs.

P. V. HARDAS, J.

D. G. KARNIK, J.

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